Interview Summary Via Electronic Filing

INTERVIEW SUMMARY

Dear Examiner Frenel:

In light of the interview on **30 April 2009 at 2PM E.D.T.**, please find an interview summary below.

Identification of Claims and Reference Discussed

Claim(s) for discussion: Claim 1

Reference(s) for discussion: LaMotta et al. (U.S. Pub. No. 2003/0126018, hereinafter "LaMotta"), in view of Sullivan (U.S. Pub. No. 2003/0055754, hereinafter "Sullivan").

Applicant's Arguments

Neither LaMotta nor Sullivan discloses a tax service that is configured to receive tax rules and data in an XML (Extensible Markup Language) format or an EDI (Electronic Data Interchange) format, **where the tax rules and data comprise a country name, a tax regime identifier, a tax identifier, a tax-type identifier, and a tax-jurisdiction identifier.**

LaMotta discloses using an XML-based interface for integrating multiple databases (LaMotta, pars. [0057], [0144]-[0148] , [0160]-[0161]). But the LaMotta XML is used only to enable communications with ERP (Enterprise Resource Planning) ERP systems:

> The database integration application provides an Extensive Markup
> Language (XML) based integration of the e-Commerce system of the

present invention, with various organizations' Enterprise Resource
Planning (ERP) systems, to support product availability, shipping and
status information exchange (La Motta, par. [0057]).

In other words, the LaMotta system is **not** configured to receive tax rules and data
in an XML (Extensible Markup Language) format or an EDI (Electronic Data
Interchange) format, **where the tax rules and data comprise a country name, a
tax regime identifier, a tax identifier, a tax-type identifier, and a tax-
jurisdiction identifier.** The LaMotta system uses XML to enable two databases
to communicate with each other.

Examiner states that Sullivan discloses a tax service that is configured to
receive tax rules and data in an XML format, citing Sullivan, pars. [0097]-[0101]
and [0131]. In these passages, Sullivan discloses that XML is used only as a
format for **transaction processing**, which is input to a tax processor. For
example:

The selling/purchasing system converts then converts the input data to an
extensible markup language ("XML") format. The XML input data then
may be transferred via hyper text transfer protocol ("HTTP") to a JAVA
web server of the transaction tax system (526) (Sullivan, par. [0097]).

In other words the Sullivan system merely uses an XML format as input to a
transaction-tax calculator. A resulting tax calculation is shown in Sullivan Fig.
15B, which is mentioned in Sullivan, par. [0131]: "The selling/purchasing system
may then take the XML transaction data and transform it into a readable text,
which it displays on the web page, an example of which is shown in Fig. 15B."
This figure shows a transaction and associated tax charges. Nowhere does
Sullivan disclose that the tax transaction system is configured to receive **tax rules
and data** in an XML (Extensible Markup Language) format or an EDI
(Electronic Data Interchange) format, **where the tax rules and data comprise a
country name, a tax regime identifier, a tax identifier, a tax-type identifier,
and a tax-jurisdiction identifier.**

In contrast, embodiments of the present invention involve a tax service
that is configured to receive tax rules and data in an XML (Extensible Markup

Language) format or an EDI (Electronic Data Interchange) format, **where the tax rules and data comprise a country name, a tax regime identifier, a tax identifier, a tax-type identifier, and a tax-jurisdiction identifier.** By configuring the tax service to receive tax rules and data, the system enables a third party provider, a tax professional, or an end user to enter the tax rules and data in a machine readable format, **without requiring programming** (instant application, pars. [0038], [0055], and [0058]). The XML or EDI formats allows new jurisdictional rules to be implemented by merely loading additional data and rules in these formats (instant application, par. [0076]).

In particular the rules and data include country, tax regime, tax, tax type and tax jurisdiction. For example, the country might be "United States," the tax regime might be "U.S. Sales Tax," the tax might be "State Sales Tax," the tax type might be "Sale Tax," and the tax jurisdiction might be "California (State)." Other combinations of values for country, tax regime, tax, tax type, and tax jurisdiction are possible and can easily be entered by a non-programmer.

Note that LaMotta uses XML for communicating to ERP systems and Sullivan uses XML to communicate a transaction to a transaction tax system. Thus, nothing within LaMotta or Sullivan suggests or implies a tax service that is configured to receive tax rules and data in an XML format or an EDI format, thus enabling a third party provider, a tax professional, or an end user to enter the tax rules and data in a machine readable format without requiring programming.

Proposed Amendment:

1.   (Currently amended) An apparatus for determining taxes that is configurable for local jurisdictions, comprising:

a tax knowledge base, embodied in a computer system, wherein the tax knowledge base includes tax rate data pertaining to taxes in local jurisdictions;

an external tax service interface, embodied in a computer system, configured to interface to a third party tax service provider to perform tax computations for another local jurisdiction which is simultaneously applicable;

a tax rule base, embodied in a computer system,

wherein the tax rule base includes one or more rules for applying taxes in local jurisdictions and wherein the tax rule base is configured to receive tax rules and data in an XML (Extensible Markup Language) format or an EDI (Electronic Data Interchange) format, thus enabling a third party provider, a tax professional, or an end user to enter the tax rules and data in a machine readable format without requiring programming; and

wherein the tax rules and data comprise a country name, a tax regime identifier, a tax identifier, a tax-type identifier, and a tax-jurisdiction identifier; and

a tax determination manager, embodied in a computer system, that is configured to determine a tax for a transaction using the tax knowledge base and the tax rule base.

Outcome of Interview

Examiner said this amendment seems like a step in the right direction as long it has support. Examiner said this amendment may require an additional search.

Respectfully submitted,

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